

ORDINANCE NO. 040212-47

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 721-729 NORTH LAMAR BOULEVARD FROM DOWNTOWN MIXED USE-CENTRAL URBAN REDEVELOPMENT (DMU-CURE) COMBINING DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY-CENTRAL URBAN REDEVELOPMENT (DMU-CO-CURE) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from downtown mixed use-central urban redevelopment (DMU-CURE) combining district to downtown mixed use-conditional overlay-central urban redevelopment (DMU-CO-CURE) combining district on the property described in Zoning Case No.C14-03-0168, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 1-6, Block E, Raymond Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 2, Page 129, of the Plat Records of Travis County, Texas, and

View Corridor Property: A 0.232 acre tract of land, out of Lots 1-4, Block E, Raymond Subdivision, Travis County, the tract being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 721-729 North Lamar Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Except as provided for in Section 2 of this Part, the maximum floor-to-area ratio (F.A.R.) is 7.0 to 1.0.
2. The maximum floor-to-area ratio (F.A.R.) for an administrative and business office use and a professional office use, is 1.52 to 1.0.

3. The maximum height on the portion of the Property described in Exhibit A is 546 feet mean sea level.
4. A minimum 90 percent of gross floor area beginning 60 feet above ground level is for a condominium residential use.
5. The maximum impervious cover is 97 percent.
6. The minimum site area is 350 square feet per residential unit.
7. Permitted uses for the ground floor elevations along and adjacent to North Lamar Boulevard and West 9th Street are:

Administrative and Business Offices	Art and craft studio (limited)
Consumer convenience services	Cultural services
Day care services (general)	Day care services (limited)
Day care services (commercial)	Food sales
General retail sales (convenience)	General retail sales (general)
Park and recreation services	Residential uses
Restaurant (limited)	Restaurant (general)
Medical offices	Professional office
Religious assembly	

8. Vehicular access from the Property to North Lamar Boulevard is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
9. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,535 trips per day.
10. A height variance from the compatibility standards under Chapter 25-2, Article 10, Division 4 (*Compatibility Standards*) is prohibited for the first two-thirds of the Property beginning at North Lamar Boulevard and continuing eastward along 9th Street.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the downtown mixed use (DMU) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on February 23, 2004.

PASSED AND APPROVED

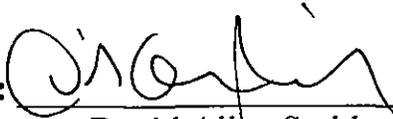
February 12, 2004

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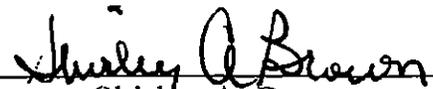
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

FIELD NOTES
FOR
NEW URBAN PARTNERS, LTD.

EXHIBIT A

VIEW CORRIDOR

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND, BEING A PORTION OF LOTS 1, 2, 3, AND 4, BLOCK E, RAYMOND SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 129, PLAT RECORDS, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 0.9834 ACRE TRACT OF LAND AS CONVEYED TO NEW URBAN PARTNERS, LTD., BY DEED RECORDED IN VOLUME 12766, PAGE 2028, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at an iron rod found at the intersection of the East r.o.w. line of North Lamar Boulevard with the North r.o.w. line of a 20 foot alley, being the Southwest corner of the said Lot 1, Block E, Raymond Subdivision, same being the Southwest corner of the said 0.9834 acre New Urban Partners, Ltd., tract;

THENCE with the East r.o.w. line of North Lamar Boulevard, N 24°58'27"E for a distance of 32.06 feet to a point at the intersection of the South line of the said view corridor, said view corridor having an elevation of 540.6 feet m.s.l., for the Southwest corner and PLACE OF BEGINNING hereof;

THENCE continuing with the East r.o.w. line of North Lamar Boulevard, N 24°58'27"E for a distance of 90.75 feet to an iron rod found at the most Westerly Northwest corner of the said 0.9834 acre tract, for the most Westerly Northwest corner hereof;

THENCE N 68°53'51"E for a distance of 25.91 feet to a point in the South r.o.w. line of West 9th Street, being a corner of the said 0.9834 acre tract, for a corner hereof;

THENCE with the South r.o.w. line of West 9th Street, S 67°03'18"E for a distance of 170.97 feet to the intersection of the South line of the said view corridor with the South r.o.w. line of West 9th Street, said view corridor having an elevation of 546.8 feet m.s.l., for the most Easterly corner hereof;

THENCE with the South line of the said view corridor S 83°31'45"W for a distance of 221.34 feet to the PLACE OF BEGINNING, and containing 0.232 acre of land, more or less.

AS PREPARED BY:
DOUG SEELIG LAND SURVEYORS P.C.


DOUGLAS A. SEELIG

Registered Professional Land Surveyor No. 1908
3802 Manchaca Road
Austin, Texas 78704
November 27, 1996

Work Order No. 13694



NORTH LAMAR BOULEVARD

SCALE 1" = 30'

Elevation of View Corridor
540.8' M.S.L. - Ground Level 491.3
N 24°58'27"E 122.81'

32.00'

90.75'

N 68°53'51"E
25.91'

Lot 1

VIEW CORRIDOR
0.232 ACRE

Lot 2

N 85°31'45"E

221.34'

179.97'

NEW URBAN PARTNERS, LTD.
0.9834 ACRE TRACT
VOL. 12766 PG. 2028

Lot 3

BLOCK E

278.78'

WEST 9th STREET

Lot 4

Elevation of View
Corridor - 546.8' M.S.L.

475.5'

Lot 5

105.81'

RAYMOND SUBDIVISION
PLAT BOOK 2, PAGE 129

Lot 6

S 24°58'27"W 151.15'

HENDERSON STREET

EXHIBIT "A"

DOUG SEELIG LAND SURVEYORS, P.C.

3802 Manchaca Road - Austin, Texas 78704 - Ph. (512) 440-0222

